



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

September 16, 2004

SFUND RECORDS CTR
2053927

James C. Stull, President
Continental Heat Treating, Inc.
10643 South Norwalk Boulevard
Santa Fe Springs, CA 90670

Re: Omega Superfund Site
De Minimis Volume Review Process Results for
Continental Heat Treating, Inc.

Dear James C. Stull:

In October 2003, a *De Minimis* Notice Letter was issued by the United States Environmental Protection Agency ("EPA") that provided notice of your potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601, *et seq.*, at the Omega Chemical Superfund Site (the "Site"). Subsequent to the *De Minimis* Notice Letter, EPA issued the Omega Chemical Superfund Site Settlement Offer Letter (the "Offer Letter") that provided manifest information and the volume attributed to you. EPA also requested that you notify the Agency in writing if you concluded that the volume attributed to you was incorrect. EPA has received and completed the review of your written challenge. Therefore, the purpose of this letter is to give your company or organization, identified above, the results of their participation in this process to correct or adjust the volume of wastes attributed to it in EPA's volumetric database.

EPA reviewed the volume challenges submitted for consideration. The enclosed Challenge Summary records the decision made on each of the challenges submitted by your company or organization along with a brief description of the challenge and a brief explanation of the decision. The enclosed Manifest Summary lists all the manifests for your company or organization. Further, the Manifest Summary provides the volume for your company or organization after changes made as a result of this volume adjustment process. The enclosed Settlement Cost Summary provides your settlement payment amount as a result of the volume review, and includes the 5% discount for timely submission of your signature page. EPA will notice you when payment is due. Please do NOT send any payment at this time.

Your company or organization has three options to consider.

1. **Settle with EPA** - No response is required at this time if your company or organization wants to accept EPA's findings presented in this letter and settle its potential liability at the Site (except submission of revised Signature Page postmarked no later than September 24, 2004, if desired^{1,2}). Because the payment due date is not known at this time, EPA will provide notice to you when payment is due. Please note, if this challenge resulted in your volume falling below 3.0 tons, you are currently considered a *de micromis* party at the Site. This means that no payment is due and your company or organization is no longer a party to this Omega *de minimis*

¹ See August 11, 2004 Revised *De Minimis* Settlement Offer.

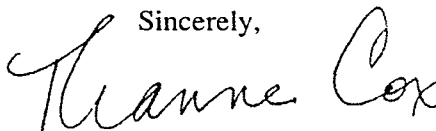
² See September 7, 2004 Revised Settlement Offer for *De Minimis* Parties

settlement. As a *de micromis* party, EPA and all other potentially responsible parties ("PRPs") will not pursue you as a PRP at the Site.

2. **Withdraw Signature Page** - Enclosed you will find a Signature Page Withdrawal Form if EPA rejected all or part of your volume review challenge. If your company or organization wants to withdraw from the settlement, please submit an executed Signature Page Withdrawal Form to the address shown on the form and postmarked no later than 14 business days after receipt of this letter. Upon receipt of this form, EPA will return the original Signature Page to you.
3. **Submit Additional Information** - If your company or organization disagrees with EPA's findings presented in this letter and wishes to submit new and/or additional volume review information, please submit the enclosed Application Form for Supplemental Volume Review to the address shown on the form postmarked no later than 30 business days after receipt of this letter. You may contact Linda Ketellapper, EPA's Case Developer, at (415) 972-3104 to discuss EPA's finding specific to your existing challenge. If EPA denies your challenge submitted under this supplemental volume review, your company or organization will have 14 business days in which to withdraw the Signature Page after EPA notifies you of the results of this supplemental volume review.

We appreciate your participation in the volume review process for the Omega Site. If you have any questions regarding the volume review process or the content of this letter, please call me at (415) 972-3908 or Linda Ketellapper at (415) 972-3104.

Sincerely,



Thanne Cox
Assistant Regional Counsel

Enclosures:

1. Challenge Summary
2. Manifest Summary (if applicable)
3. Settlement Cost Summary
4. Signature Page Withdrawal Form (if applicable)
5. Application Form for Supplemental Volume Review (if applicable)

cc: Karl Fingerhood, DOJ
Linda Ketellapper, EPA
Keith F. Millhouse, OPOG
John Tatum, OPOG
Peter McGaw, OSVOG

Challenge Summary

Liabe Group Name	Manifest #	Manifest Line #	Original Volume Tons	Revised Volume Tons	Decision	Challenge Description	Explanation of Decision
Continental Heat Treating, Inc.	89511429	1	1.83480	1.83480			
Continental Heat Treating, Inc.	89511442	1	2.08500	2.08500			
Continental Heat Treating, Inc.	89511496	1	2.52285	1.87650	Approved	Manifest lists 11 drums and 450 gal. the "G" identifier was omitted. Tons should be based on 450 gallons.	A review of the other manifests for this entity show gallons always used. Pounds would not have been reasonable. Gallons reasonable based on review of other manifests.
Continental Heat Treating, Inc.	91016340	1	1.45950	1.45950			
Total			7.90215	7.25580			

generator_name	CONTINENTAL HEAT TREATING
lc_name:	Continental Heat Treating, Inc.
lc_calc_volume:	7.2558 tons
manifest_number	manifest_quantity_ton
89511429	1.8348 tons
89511442	2.085 tons
89511496	1.8765 tons
91016340	1.4595 tons

**Settlement Cost Summary
Continental Heat Treating, Inc.
for Continental Heat Treating**

The payment required to join this De Minimis settlement is listed below¹. **Do not make a payment now; please wait until you receive a letter with payment instructions.**

**OPTION A
SETTLEMENT PAYMENT AMOUNT**

Continental Heat Treating, Inc. settlement payment including 5% discount is:

\$87,072

**OPTION B
SETTLEMENT PAYMENT AMOUNT**

Continental Heat Treating, Inc. settlement payment including 5% discount is:

\$66,709

The current *de minimis* volume range is 3 tons to 9.99 tons. If EPA's review of your volume challenge results in the your volume falling below 3 tons, you are currently considered a *de micromis* party and no settlement is available and no payment is due.

¹Options A and B are explained in detail in the "Revision to Omega Chemical Superfund Site *De Minimis* Settlement Offer - Settlement Options" dated August 11, 2004, and in the U.S. EPA letter entitled "Revised Omega *De Minimis* Settlement Offer" dated August 11, 2004.



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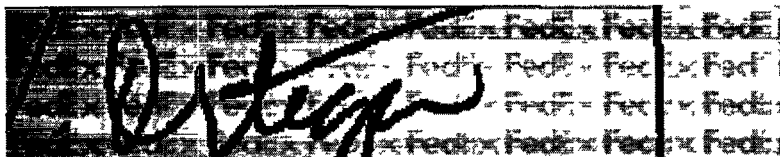
9/20/2004

Dear Customer:

Here is the proof of delivery for the shipment with tracking number **676121411776**. Our records reflect the following information.

Delivery Information:

Signed For By: V.ORTEGA



Delivery Location: 10643 NORWALK
Delivery Date: September 17, 2004
Delivery Time: 1432

Shipping Information:

Tracking No: 676121411776

Ship Date: September 16, 2004

Recipient:

JAMES C. STULL, PRES.
CONTINENTAL HEAT TREATING, INC
10643 SOUTH NORWALK BLVD
SANTA FE SPRINGS, CA 90670
US

Shipper:

OMEGA
SAIC
1404 FRANKLIN ST.
OAKLAND, CA 94612
US

Shipment Reference Information:

06-5026-01-0506-000

Thank you for choosing FedEx Express. We look forward to working with you in the future.

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